

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

In the Matter of the Search of

(Name, address or brief description of person, property, or premises to be searched)

**RAYBURN HOUSE OFFICE BUILDING
ROOM NUMBER 2113
WASHINGTON, DC 20515**

**APPLICATION AND AFFIDAVIT
FOR SEARCH WARRANT**

CASE NUMBER:

(Further described below)

I TIMOTHY R. THIBAUT being duly sworn depose and say:

I am a(n) Special Agent with the Federal Bureau of Investigation and have reason to believe
(Official Title)

that ☐ on the person of or ☒ on the property or premises known as (name, description and or location)

Rayburn House Office Building, Room Number 2113, Washington, DC 20515.
See Schedule A

in the District of Columbia, there is now concealed a certain person or property, namely (describe the person or property to be searched)

See Schedules A, B, C and the affidavit submitted in support of the application for this warrant which are incorporated herein by reference.

which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure) evidence and instrumentalities of crime and other contraband and property designed or intended for use as a means of committing a criminal offense.

concerning a violation of Titles 18; 15 United States Code, Section(s) 201; 371; 1343; 1346; 1349; & 78dd-1, 72dd-2 and 78dd-3. The facts to support a finding of Probable Cause are as follows:

SEE ATTACHED AFFIDAVIT HEREIN INCORPORATED BY REFERENCE AS IF FULLY RESTATED HEREIN

Continued on the attached sheet and made a part hereof. ☒ YES ☐ NO

Michael Atkinson
Fraud and Public Corruption/5th Floor
(202) 616-3702

Signature of Affiant
TIMOTHY R. THIBAUT, Special Agent
Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence

Date _____ at Washington, D.C.

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF APPLICATION OF SEARCH WARRANT

I, Timothy R. Thibault, being duly sworn, depose and state as follows:

I. INTRODUCTION

1. From December 1996 to the present, I have been employed as a Special Agent with the FBI. Before December 1996, I was employed as a Special Agent with the U.S. Air Force Office of Special Investigations for four years. I am currently assigned to the FBI's Washington, D.C. Field Office (Northern Virginia Resident Agency), on a public corruption and government fraud squad located in Falls Church, Virginia. I have received extensive and specialized training in the area of public corruption and government fraud investigations. I have received a Masters Degree from The George Washington University in Legislative Affairs in 2005. As a Special Agent, I have participated in numerous investigations involving bribery, false statements, mail fraud, wire fraud, and false claims to government agencies. As a result of my involvement in these and other investigations, I have executed a number of search and arrest warrants.

II. REASON FOR AFFIDAVIT

2. Based on information obtained by me, including information relayed to me by other special agents of the FBI, and other sources to this investigation, there is probable cause to believe that there is kept and concealed within the premises

known and described as:

Congressional Office of William J. Jefferson
Rayburn House Office Building, Room Number 2113,
Washington, D.C. 20515

fruits, instrumentalities and evidence of violations of: a) Title 18, United States Code, Section 201 (bribery of a public official; b) Title 18, United States Code, Sections 1343, 1346 and 1349 (wire fraud - deprivation of honest services); c) Title 18, United States Code, Sections 1343 and 1349 (wire fraud - scheme to defraud); d) Title 15, United States Code, Section 78dd-1, et seq. (bribery of a foreign official); and e) Title 18, United States Code, Section 371 (conspiracy to commit bribery, wire fraud, bribery of a foreign official).

3. The location to be searched is described in more detail in Schedule A to this affidavit. The evidence to be seized is described in Schedule B to this affidavit. The search terms to be used in searching computer images are described in Schedule C to this affidavit.

4. The facts and information contained in this affidavit are based upon my personal knowledge and the investigation and observations of other officers and agents involved in the investigation. All observations noted below that were not personally made by me were related to me by the persons who made such observations. This affidavit contains information necessary to support probable cause for this application. It is not

intended to include each and every fact and matter observed by me or known to the government.

III. THE INVESTIGATION

5. This investigation began in approximately March 2005, when [REDACTED], a Cooperating Witness - 1 ("CW-1"), approached the FBI and communicated CW-1's suspicion that CW-1 had been a victim of a fraud and bribery scheme involving Vernon Jackson, Brett Pfeffer and United States Congressman William J. Jefferson.¹ CW-1 suspected that these individuals conspired to defraud CW-1 out of \$3.5 million which CW-1 paid to Vernon Jackson's Louisville, Kentucky company, iGate, Incorporated, the developer of a telecommunications technology for use on copper wires. CW-1 related that the money was paid with the understanding that iGate would use it to reacquire the rights to the technology from another company that had already bought the rights to the technology from iGate. According to CW-1, Jackson could not produce proof that those rights, which CW-1 was to use for a business venture in Nigeria, had been reacquired as represented. In addition, CW-1 related to the FBI that

¹ CW-1 is a person located in McLean, Virginia, who has been providing reliable and credible information to the FBI since March 2005. In addition, the information provided by CW-1 has been corroborated by consensually recorded conversations that CW-1 has participated in at the direction of the FBI. My statements below, summarizing CW-1's interactions with others involved in the various iGate business ventures prior to March 2005, are based on numerous interviews of CW-1 by me and Special Agent Edward Cooper of the FBI.

Congressman Jefferson had asked CW-1 for a percentage ownership interest (five to seven percent to be placed in the names of Congressman Jefferson's children) in CW-1's Nigerian company, W2-International Broadband Services ("W2-IBBS") in exchange for his assistance in using his official acts to support the Nigerian business venture.

6. The targets of this investigation include, but are not limited to the following:

a. William J. Jefferson: was born on [REDACTED], [REDACTED], (62 years old) and is currently serving his eighth term in the United States House of Representatives, representing the 2nd District of Louisiana. He is a member of the House Ways and Means Committee (sub-committee on Trade), the Congressional Africa Trade and Investment Caucus, the Congressional Black Caucus and the Congressional Caucus for Nigeria (hereinafter also referred to as the "Nigerian Caucus"). He is a graduate of Southern University AT&T College, Harvard Law School (JD), and Georgetown University (LLM - Tax). Jefferson previously served three terms as a member of the Louisiana State Senate.

b. Vernon Jackson: was born on [REDACTED], and is the 53-year-old President and CEO of iGate, Incorporated ("iGate"), a telecommunications firm that touts its "Triple Play" technology, which enables audio, video, and data to be transmitted over copper wire. iGate is headquartered in

Louisville, Kentucky.²

c. Brett M. Pfeffer: was born on [REDACTED], (37 years old) and owns a consulting firm named OTN. Since January 1, 2004, Pfeffer has been employed as the President of an investment firm owned by CW-1 and located in McLean, Virginia. In the mid-1990's, Pfeffer served on the congressional staff of William Jefferson in both his New Orleans and Washington, D.C. offices. Pfeffer resides in Herndon, Virginia.³

d. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7. [REDACTED]
[REDACTED]
[REDACTED]

² On May 3, 2006, Jackson pleaded guilty to a two-count Information charging him with violations of 18 U.S.C. § 201 (Bribery of a Public Official) and 18 U.S.C. § 371 (Conspiracy to Bribe a Public Official). The plea was entered in U.S. District Court in Alexandria, Virginia. As part of the plea, Jackson has agreed to cooperate with law enforcement authorities.

³ On January 11, 2006, Pfeffer pleaded guilty to a two-count Information charging him with violations of 18 U.S.C. §§ 2 and 201 (Aiding and Abetting Bribery of a Public Official) and 18 U.S.C. § 371 (Conspiracy to Bribe a Public Official). The plea was entered in U.S. District Court in Alexandria, Virginia. As part of the plea, Pfeffer has agreed to cooperate with law enforcement authorities.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IV. SUMMARY OF PROBABLE CAUSE

8. The facts and circumstances described below outline the probable cause that United States Congressman William J. Jefferson, acting in concert with the other targets, has sought, and in some cases, has already accepted, financial backing and/or concealed payment(s) of cash and/or equity interests in business ventures located in the United States, Nigeria and Ghana (things of value) in exchange for his undertaking of official act(s) as a United States Congressman while promoting the business interests of the targets, including Jefferson himself.

9. Congressman Jefferson has, prior to August 3, 2005,

⁴ Throughout this affidavit, I refer to telephone calls intercepted from the Target Telephone and consensually recorded conversations involving CW-1 and others. With regard to the selected conversations presented here, several caveats apply. Summaries and quotations are preliminary and have been prepared by me or provided to me by other law enforcement agents: final transcripts have not yet been prepared. As a result, it is possible that changes to the summaries and quotations may occur during the preparation of transcripts.

attempted to use his official position as a United States Congressman to commit official acts in promoting the sale of communications equipment and related services offered by iGate, a U.S. communications firm seeking to provide communications, data transfer, media, internet and other services in Nigeria, Ghana and possibly other African Nations.⁵ In exchange for his official acts supporting the proposed business ventures, Congressman Jefferson has already received a 30% equity stake in a Nigerian company controlled by CW-1 and more than \$400,000 in payments from iGate.⁶ At Congressman Jefferson's direction, the stock representing the 30% interest in a Nigerian Company has been placed in the name of a Nigerian L.L.C. held by Jefferson's children. A similar arrangement was negotiated by Congressman Jefferson regarding the implementation of iGate products and services in Ghana, whereby Jefferson exchanged his official acts for an equity stake in a Ghanaian company also set up under the control of CW-1 and created for the sole purpose of marketing and distributing iGate's technology and services in Ghana.

⁵ Evidence also suggests that approximately half of the \$3.5 million payment made by CW-1 in 2004 to iGate to obtain the exclusive rights to iGate's technology was not used for the purpose represented, leaving CW-1's company and another company, which had also paid iGate for exclusive rights to its technology, with competing claims to the same rights.

⁶ The evidence reflects that the Nigerian company controlled by CW-1 was created with the assistance of Congressman Jefferson and one of his daughters, also a lawyer.

10. The official acts performed by Congressman Jefferson in exchange for his actual and/or solicited receipt of stock in these foreign entities, and other things of value include: communicating with both the President and Vice President of Nigeria in an effort to secure the iGate business venture there; sending an official letter to the Nigerian Vice President seeking his assistance in overcoming opposition to the iGate business venture from the government-owned Nigerian telephone company; introducing CW-1 to officials at the Export-Import Bank of the United States to assist CW-1 in obtaining loan guarantees for the Nigerian and Ghanaian business ventures; writing an official letter to the Vice President of Ghana to obtain approval of the business venture in that country; traveling to Ghana, paid for by CW-1, to meet with high-ranking government officials such as the Vice President, the Minister of Communications, and others to further obtain approval to conduct the business venture there; using his congressional staff to plan the trip to Ghana and to obtain travel documents for the individuals making the trip with him; and communicating with the U.S. Embassy and the U.S. Ambassador to Ghana about the trip and scheduling of his meetings with Ghanaian government officials.

11. In addition, Congressman Jefferson solicited CW-1 for substantial amounts of capital to be used by Jefferson in his efforts to take control of iGate from Vernon Jackson (or replace

iGate with a successor company) through the use of a nominee company Jefferson directed through his children. This financing, of up to \$3 million, was proposed by Jefferson and was to be provided in exchange for official acts by Congressman Jefferson as he promoted the business ventures in Nigeria, Ghana and perhaps elsewhere in Africa.

12. Finally, Congressman Jefferson has also discussed, with CW-1 and others, the payment of bribes to high-ranking foreign government officials to promote the business ventures in Africa. With regard to the Nigerian business venture, Jefferson discussed the making of payments to high-ranking government officials there, including [REDACTED]. Congressman Jefferson met with [REDACTED] on July 18, 2005, in Potomac, Maryland. According to Congressman Jefferson, [REDACTED] agreed to help secure the necessary approvals for the participants in the Nigerian business venture (iGate, CW-1's Nigerian company and a Nigerian partner) to commence operations in Nigeria in exchange for at least 50% of the profits planned to be received by CW-1's Nigerian partner. In addition, Congressman Jefferson discussed with CW-1 the payment of a substantial monetary sum by CW-1 to [REDACTED] (in the range of up to \$500,000) before the commencement of business operations in Nigeria. Congressman Jefferson and CW-1 discussed the various means by

which that payment could be made. On July 30, 2005, Congressman Jefferson met CW-1 at the Ritz-Carlton Pentagon City in Arlington, Virginia. While at the meeting, CW-1 gave Congressman Jefferson \$100,000 cash concealed in a leather briefcase for the sole purpose that it would be forwarded to [REDACTED] by Jefferson in exchange for [REDACTED] assistance in securing the appropriate approvals to ensure the success of the Nigerian business venture. During a search of Congressman Jefferson's Washington, D.C. residence, executed on August 3, 2005, \$90,000 of the cash previously delivered by CW-1, was found in Jefferson's freezer concealed inside frozen food containers.

V. STATEMENT OF PROBABLE CAUSE

A. JUNE 2004 - CW-1 SEEKS INVESTMENT OPPORTUNITIES

13. CW-1 has founded and operates an educational technology philanthropic foundation, located in McLean, Virginia, whose mission is to provide technology to public schools nationwide. To help finance this philanthropy, CW-1 hired Brett Pfeffer, a former aide to Congressman Jefferson, to seek out various investment opportunities on CW-1's behalf.

14. In June 2004, Pfeffer introduced Congressman Jefferson to CW-1 over lunch in New Orleans, Louisiana. At that meeting, Jefferson described a telecommunications company called iGate, and the fact that iGate needed an investor for a business venture

it was attempting to secure in Nigeria. Jefferson described the opportunity as "a deal you can't refuse." Later, after Jefferson left the meeting, Pfeffer told CW-1 that if Jefferson helped them to secure a good business opportunity, then Jefferson would expect to get something out of it.

B. THE IGATE DEAL IS PRESENTED TO CW-1

15. From June 2004 through February 2005, CW-1 participated in a number of meetings in Northern Virginia, Washington, D.C., and New Orleans, LA, where the terms of the proposed iGate deal were presented and discussed.⁷ During one such meeting, which took place on June 25, 2004, in Congressman Jefferson's office on Capitol Hill, Jefferson introduced CW-1 to Jackson and vouched for him, indicating that their relationship was a long-standing one and that Jackson was a reputable businessman.

16. Jackson told CW-1 that he had previously worked at Bell Laboratories where he had created a technology called Triple Play, which enabled data, video, and voice transmissions over copper wire. Jackson told CW-1 that he had secured an agreement from Bell Laboratories enabling him to market Triple Play outside of the company and had set up iGate to do so. According to CW-1, Jefferson said that, as a member of the Congressional Black

⁷ Statements and/or events depicted in this affidavit that occurred before March 17, 2005 are based substantially upon debriefings of CW-1 by agents of the FBI. No statements and/or events that occurred before March 17, 2005 were recorded by the FBI.

Caucus and as head of the Nigerian Caucus in Congress, his point of contact in Nigeria was [REDACTED]. At Jefferson's request, CW-1 described CW-1's history and expressed an interest in investment opportunities in Nigeria.

17. During the June 25, 2004 meeting, a power point presentation entitled "Nigeria Financial Connection" was reviewed and discussed. The meeting was controlled and managed by Jefferson. Jefferson and Jackson proposed that CW-1 invest in iGate's Nigeria project. They told CW-1 that the Nigerian government was building the backbone of a nationwide telecommunications network. iGate's Triple Play technology was described as the vehicle to provide data, video, and voice transmission service to individual subscribers throughout Nigeria. Jefferson said that the Nigerian project would cost a total of approximately \$45 million. Jefferson told CW-1 that CW-1 could make an initial investment and the remainder could be financed.

18. Shortly after that meeting, Pfeffer presented a term sheet to CW-1 for the iGate deal he said had been forwarded to him by Jackson. CW-1 has provided a copy of this document to the FBI and I have reviewed it. The term sheet called for CW-1 to pay iGate \$44,934,400 for the exclusive right to use iGate's patented Triple Play technology and equipment to support the project. CW-1 would pay iGate \$3.5 million in cash up front and

then finance the balance with a loan to be acquired via the Export-Import Bank of the United States ("Ex-Im Bank"), a federal agency whose mission is to assist in the financing of companies exporting goods from the United States to foreign countries. CW-1 signed the agreement, and, subsequently, approved two wire transfers of funds to iGate from CW-1's account at the Bank of America branch located in McLean, Virginia: \$1.5 million on July 22, 2004, and \$2 million on September 20, 2004. It was CW-1's understanding that this money would be forwarded to an entity called Netlink Digital Television ("NDTV"), a Nigerian telecommunications company, to secure the rights to distribute iGate's Triple Play technology in Nigeria.⁸ I have reviewed the bank records of iGate at [REDACTED]. Those records reveal that iGate has apparently forwarded to NDTV only \$1.75 million of CW-1's \$3.5 million total payment. The remaining \$1.75 million appears to have been spent by Jackson for other purposes.

⁸ As is discussed later in this Affidavit, in approximately Spring 2003, Netlink Digital Television or NDTV entered into a distributorship agreement with iGate which was similar in nature to the deal that CW-1 entered into with iGate. During approximately Spring 2004, the iGate deal with NDTV turned sour and NDTV sought a substantial return of its initial investment from iGate. In an effort to resolve the dispute with NDTV, iGate agreed to pay \$3.5 million to NDTV.

19. In August 2004, Congressman Jefferson introduced CW-1 to a Nigerian named John Doe #1, a representative of Rosecom, a Nigerian telecommunications firm. Jefferson told CW-1 that CW-1 would have to form a Nigerian company to participate in the iGate deal and that Rosecom was going to be a partner in the deal with CW-1's Nigerian company.

20. Jefferson also told CW-1 that [REDACTED], Jefferson's daughter, must be retained by CW-1 to do the legal work for the iGate deal, which included assisting in the formation of CW-1's Nigerian company, now known to me as "W2-IBBS, Limited." CW-1 agreed to do so and in the next few months paid [REDACTED] law firm thousands of dollars for legal work.

C. JEFFERSON SOLICITS CW-1 FOR A PERCENTAGE OWNERSHIP IN THE NIGERIAN COMPANY

21. In December 2004, Jefferson and CW-1 had lunch in the Congressional dining room and Jefferson discussed the iGate deal. He told CW-1 that he knew Pfeffer had mentioned to CW-1 that he, Jefferson, would be asking for something in return for his help in the iGate deal. Jefferson then told CW-1 that he wanted CW-1 to give five to seven percent of the ownership of CW-1's Nigerian company to his five daughters, to be split equally among them.

D. FRICTION BETWEEN CW-1 AND PFEFFER AND JACKSON

22. During the winter of 2004-2005, CW-1 sought more information about Pfeffer's business dealings on CW-1's behalf.

CW-1 came to believe that Pfeffer had forged CW-1's signature on some documents and that other important documents were missing. In addition, CW-1 came across what CW-1 believed to be evidence that large expenditures were being made by Pfeffer, from CW-1's company bank accounts, without CW-1's authorization. As a result, CW-1 also began to have misgivings about CW-1's involvement in the iGate deal.

23. In February 2005, CW-1 began to ask Jackson questions about iGate's finances and requested verification that CW-1's previous investment of \$3.5 million had been used to acquire the rights to iGate's Triple Play technology in Nigeria, as was previously represented to CW-1 by Jackson. Jackson refused and CW-1 broke off ties with him. Suspecting that CW-1 may have been defrauded by Jackson and Pfeffer, among others, CW-1 then furloughed Pfeffer from CW-1's employment and did not respond to email inquiries from Jefferson and Jackson. I am in possession of an email sent by Jackson to CW-1's attorney on February 4, 2005 in which Jackson expressed his displeasure with being unable to contact CW-1. Among other things, Jackson wrote in the email:

I have been in constant discussions with the Nigerian partner, Rosecom, and there are several matters which need to be discussed with [CW-1]. In addition, I have requested the assistance of US Congressman, William Jefferson; in terms of accompanying me on a trip to Nigeria in an effort to support the iGate-W2-IBBS efforts from a US-African Trade perspective, as we finalized business discussions. (emphasis added).

E. CW-1 CONTACTS THE FBI - BEGINS RECORDING CONVERSATIONS

24. In March 2005, CW-1 contacted the FBI and provided details of the events that had transpired over the preceding nine months regarding the iGate deal and CW-1's interactions with Jefferson, Pfeffer, Jackson and others. CW-1 agreed to assist the FBI in gathering additional information about the alleged criminal activities by recording conversations with Jackson, Jefferson, and Pfeffer over the telephone and in face-to-face meetings. Unless otherwise noted, all of CW-1's conversations after March 2005 and described below were consensually recorded and have been reviewed by me and/or Special Agent Edward Cooper.

25. On March 31, 2005, CW-1, acting at the direction of the FBI, met with Pfeffer under the guise of restoring the iGate and EIM deals that Pfeffer had set up.⁹ The two met at the Ritz-Carlton Hotel in Tysons Corner, Virginia. At the conclusion of the March 31, 2005 meeting, Pfeffer told CW-1 that he would contact Jefferson as soon as possible to assess his willingness to continue assisting Pfeffer and CW-1. About one hour after the meeting, Pfeffer called CW-1 and left a voicemail saying he had just spoken to the Congressman and that the Congressman had expressed a willingness to move forward on the deals.

⁹ In August 2004, Pfeffer led CW-1 to invest approximately \$3.2 million in another company called [REDACTED], which, at the time, CW-1 also expected Congressman Jefferson to promote. [REDACTED].

F. THE IGATE-CW-1 NIGERIAN VENTURE IS BACK UP AND RUNNING

26. Over the next several weeks, CW-1, Pfeffer, and Congressman Jefferson had numerous communications about getting the iGate deal established and operating in Nigeria. Congressman Jefferson and Pfeffer also told CW-1 that they had communications with Jackson, whose relationship with CW-1 at the time was strained.

27. On April 12, 2005, CW-1, Pfeffer and Congressman Jefferson met over dinner and discussed the iGate deal in Washington, D.C. During this meeting, Congressman Jefferson explained the plan to obtain financing through the Ex-Im Bank to help finance the iGate deal. During the meeting, CW-1 asked Jefferson how long he planned to stay in Congress. He replied: "I'm gonna get your deal out of the way . . . and I probably won't last long after that."

28. On April 27, 2005, CW-1 met Congressman Jefferson for dinner at a restaurant in Tysons Corner, Virginia. During the conversation, the Congressman reiterated to CW-1 how the Nigerian iGate project would unfold, even estimating the amount of revenue the project would generate per month. He talked again about how CW-1's Nigerian company would have to form a joint venture with Rosecom and Nitel, the Nigerian government-owned telephone company.

29. Congressman Jefferson then mentioned that [REDACTED] [REDACTED] was scheduled to arrive in Washington, D.C. on May 1, 2005. He went on to describe [REDACTED] as a businessman who has "more deals going than the goddamn man in the moon." Jefferson then said, "He's a very, well, the word might be...corrupt." At this point CW-1 asked Jefferson whether he had talked to him about the iGate deal and Jefferson responded, "He thinks it's great. He can easily be involved in this." Then, Jefferson described a role [REDACTED] could play in the iGate project in Nigeria:

All we are talking about here is someone who will go to Nitel and say, look, do one of two things, partner with these guys (CW-1's Nigerian company and Rosecom) or let them lease your lines. For a reasonable figure. You know, ten bucks... per customer, or something. Five bucks, seven bucks a customer. Something like that.

30. On May 4, 2005, Congressman Jefferson spoke with CW-1 over the telephone and informed CW-1 that John Doe #1, the President of Rosecom, was in the United States and had spoken with the Congressman. According to Jefferson, John Doe #1 told him the Nigerian iGate deal was progressing nicely. Jefferson went on to tell CW-1 that Jefferson would not seek [REDACTED] [REDACTED] help unless John Doe #1 was unable to work out an agreement with Nitel on the deal in Nigeria:

JEFFERSON: But when I heard from John Doe #1, we figured we didn't need to talk to him [REDACTED] [REDACTED] unless we find out we need that level of political help.... See, if John Doe #1 can work the deal out with Nitel,

we don't need to talk to anybody.

CW-1: I see.

JEFFERSON: And it's better not to bring all those hands into the pot if we don't need to.

CW-1: I agree. And it complicates matters, too, though.

JEFFERSON: If there's a need for that, I can always see him when I go to Nigeria.

CW-1: OK. OK.

JEFFERSON: He'll grant me an audience if I need to see him. OK?

CW-1: Sounds good.

31. On May 12, 2005, CW-1 met Congressman Jefferson for dinner in Washington, D.C. Jefferson discussed the Nigerian iGate deal in great detail, focusing on significant changes in the deal which had been agreed upon by John Doe #1 and Jackson during a previously held strategy session in Louisville, Kentucky. Congressman Jefferson then talked about how he and Jackson had pitched the iGate deal to John Doe #1 and the Nigerian Communications Commission in Nigeria during a previous trip there:

. . . so I took him [John Doe #1] over to Vernon's place where I showed him some stuff [iGate technology]. Then he went over and started writing back about specifics about the technology. . . (unintelligible). And then by and by, we made this trip over there and we made, we took this stuff with us and demonstrated it to the Nigerian Communications Commission, Nitel, all of 'em.

32. Later, during the same conversation, Jefferson told CW-

1 that John Doe #1's role in the iGate deal may include paying bribes to various officials in Nigeria:

JEFFERSON: ...But we need him (John Doe #1). We got to motivate him really good. He's got a lot of folks to pay off. In his mind, he's gotta...he'll tell me I've got to give the Minister something (unintelligible). I'll say I don't want to know about that. Whatever you gotta do, you do. We don't want to hear about the Minister. All the stuff you got to pay the local people, that's your business.

CW-1: He's worried about the local market. And that's his thing and that's his job.

JEFFERSON: That's right. He's gotta, if he's gotta pay Minister X, we don't want to know. It's not our deal. We're not paying Minister X a damn thing. That's all, you know, international fraud crap. We're not doing that. We're not doing any of that gets us (Unintelligible). Whatever they do locally, that's their business.

33. As the May 12, 2005, dinner continued, Jefferson proposed significant changes in the distribution of profits from the iGate deal. Jefferson negotiated with CW-1 a larger share of the profits from the iGate deal for Jefferson's own children. As they discussed the issue, CW-1 and Jefferson were writing notes to each other on a piece of paper at the table.¹⁰ Jefferson wrote "c" on the paper and then, adjacent to that letter he wrote "18 - 20." As he wrote, Jefferson said, "The old deal was at

¹⁰ CW-1 has provided to the FBI originals of the documents and handwritten notes referred to during this recorded conversation. I have reviewed these materials.

seven percent," referring to his original solicitation of five to seven percent of the shares of CW-1's Nigerian company for his five daughters back in December 2004. After writing on the paper for a few moments in silence and then showing his writings to CW-1, the conversation then continued:

JEFFERSON: Does that make any sense to you?

CW-1: Uh huh. I understand what you're saying. That's the big picture. I see.... What's this say?

JEFFERSON: That's, this (unintelligible), the "c" is like for "children."

CW-1: Uh huh.

JEFFERSON: I wouldn't show up in there.

CW-1: Say that again. I'm sorry.

JEFFERSON: I make a deal for my children. It wouldn't be me.

34. As they continued to write figures on the paper, Congressman Jefferson began laughing and said, "All these damn notes we're writing to each other as if we're talking, as if the FBI is watching."

G. IGATE BROCHURE NOTES CONGRESSMAN JEFFERSON'S CONCEALED INTEREST - INDICATES JACKSON'S KNOWLEDGE

35. On the evening of May 24, 2005, CW-1 met for approximately one hour with Congressman Jefferson over dinner in Washington, D.C. During the meeting, Jefferson gave a color brochure to CW-1 that had been created using iGate's logo and was labeled "W2-IBBS/Rosecom Broadband Project in Nigeria." The

brochure, which contained various financial projections for the iGate deal, was produced on an iGate cover sheet and was labeled "confidential." One part of the brochure contained a five-year earnings projection giving, by color-coded bar chart, the earnings projections for each person/entity involved in the iGate deal: "W2-IBBS, Rosecom, 3rd Party, and iGate." According to the brochure, by the 5th year of operations, the Nigerian business venture was projected to have total annual combined earnings of over \$200 million per year. Congressman Jefferson talked with CW-1 concerning each of the projections contained in the brochure. When he got to the section on "3rd Party," Jefferson said to CW-1: "you can guess who that is." CW-1 understood Jefferson's statement to refer to Jefferson's concealed interest in the iGate deal.¹¹

H. CW-1'S PAYMENT TO JEFFERSON IN EXCHANGE FOR OFFICIAL ACTS PROMOTING THE NIGERIAN BUSINESS VENTURE

36. On June 8, 2005, CW-1 met with Congressman Jefferson for dinner in Washington, D.C. At the meeting, CW-1 delivered a stock certificate to Jefferson, which amounted to a 30% equity

¹¹ On August 18, 2005, [REDACTED], was interviewed by law enforcement agents. [REDACTED] stated that in approximately mid-May 2005, he was asked by Vernon Jackson to prepare a presentation regarding the Nigerian project. [REDACTED] further stated that the percentage per participant relevant to the 5 year profit projections contained in the brochure were provided to him by Congressman Jefferson.

stake in CW-1's Nigerian company.¹² CW-1's delivery of the stock certificate to Jefferson was captured on video tape. The certificate was placed in the name of "Global Energy & Environmental Services, LLC," ("Global") pursuant to Jefferson's request during previous discussions with CW-1.¹³ CW-1 further signed a joint venture agreement between CW-1's Nigerian Company and Rosecom, which called for CW-1 to make an additional payment of \$3.5 million to fund the initial capital of the joint venture by July 22, 2005. The joint venture also detailed that the parties would obtain additional financing through the Ex-Im Bank in the amount of \$10.75 million to further the business venture in Nigeria.

I. CONGRESSMAN JEFFERSON'S OFFICIAL ACTS IN SUPPORT OF THE NIGERIAN BUSINESS VENTURE

37. After June 8, 2005, Congressman Jefferson continued to promote the Nigerian business venture through official acts in

¹² Over the course of their dealings, Congressman Jefferson and CW-1 have discussed different percentage amounts of stock in CW-1's Nigerian company as well as different ways in which that stock could be transferred, i.e., stock options and/or stock certificate transfers. By June 8, 2005, Congressman Jefferson had agreed to receive a 30% interest in the stock of CW-1's Nigerian company.

¹³ On May 31, 2005, Jefferson described Global as a Nigerian company in the name of Jefferson's children which has been in existence for the past two to three years. Jefferson told CW-1 that his son-in-law runs Global and he suggested that another son-in-law should be employed by the joint venture to run things in Nigeria. [REDACTED]

his capacity as a United States Congressman.

1. CONGRESSMAN JEFFERSON WRITES OFFICIAL LETTER TO
THE VICE PRESIDENT OF NIGERIA

38. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

39. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

40. [REDACTED]

[REDACTED]

41. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

42. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

43. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

44. On June 29, 2005, Congressman Jefferson faxed to CW-1 a copy of the letter he had written to the Vice President of Nigeria. CW-1 gave a copy of the letter to law enforcement and I have reviewed it. The letter is dated June 21, 2005 and is addressed to ". . . Vice President" at the address of the Nigerian Embassy in Washington, D.C. The letter is unsigned and the signature block at the end of the letter provides "William J. Jefferson; Member of Congress."

45. The letter begins with the greeting "Dear Mr. Vice President" and continues with "I wish to bring a project to your attention by which a U.S. Company desires to invest USD \$50,000,000 to provide high speed internet service to Nigeria over Nitel's copper wire infrastructure." The letter details the problems encountered by Nitel's decision to order products from a Chinese competitor to iGate and specifies why the iGate product would be superior. Jefferson further wrote:

From the point of view of U.S. business, it is very important to be able to rely on the acceptance of an offer as a deal if U.S. Investment [sic] is to be encouraged in Nigeria. Thus it is important that Nitel recognize the acceptance by Rosecom, on behalf of itself and its U.S. partner, and permit them to launch their project in Nigeria as expected.

Congressman Jefferson closed the letter by stating:

I hope you will be able to check into this matter with the Managing Director of Nitel prior to your trip to the U.S. in July 2005. I look forward to having a chance to meet with you then to discuss or to conclude this matter at that time.

46. Congressman Jefferson's letter failed to disclose a number of important facts concerning the business venture in Nigeria. Most importantly, Jefferson made no reference to Jefferson's 30% interest in CW-1's Nigerian company, Rosecom's U.S. partner referred to in the latter. In addition, the letter made no reference to Jefferson's existing ownership of stock in iGate.¹⁴

2. CONGRESSMAN JEFFERSON INTRODUCES CW-1 TO EX-IM BANK OFFICIALS

47. On June 20, 2005, CW-1 met with [REDACTED], a former Ex-Im Bank employee, for advice on how successfully to obtain loan guarantees for the Nigerian business venture. [REDACTED] explained the application process at the Ex-Im Bank and suggested, among other things, that Congressman Jefferson could introduce CW-1 to an Ex-Im Bank official. [REDACTED] stated that "when a Congressman asks to come to Ex-Im Bank, it is a big deal. It's a very big

¹⁴ As is discussed below, in June 2005, Congressman Jefferson disclosed to CW-1 that he was already a part owner of iGate via a Louisiana LLC maintained in the name of his wife and children.

deal."¹⁵

48. On July 15, 2005, Congressman Jefferson, Brett Pfeffer, and CW-1 met with [REDACTED], a member of the Board of Directors for Ex-Im Bank and [REDACTED], [REDACTED], Ex-Im Bank, to discuss the Ex-Im Bank's possible backing of CW-1's business ventures in Nigeria and Ghana. The meeting was arranged by Congressman Jefferson. While at the meeting, Congressman Jefferson advocated for funding of the Nigerian business venture while keeping his 30% interest in CW-1's Nigerian company concealed.

J. CW-1 DELIVERS \$100,000 IN CASH TO CONGRESSMAN JEFFERSON FOR FURTHER DELIVERY TO [REDACTED] TO SECURE [REDACTED] ASSISTANCE ON THE NIGERIAN BUSINESS VENTURE

49. During two separate and consensually recorded meetings between CW-1 and Congressman Jefferson, one on June 8, 2005 and the other on June 17, 2005, the possibility of paying a bribe to [REDACTED] and the specific means of making the bribe payment were discussed. In sum, Congressman Jefferson told CW-1 that [REDACTED] currently lives in the United States (Maryland) and operates a foundation there. Jefferson suggested that a payment to [REDACTED] could be made by way of a payment to the foundation. Jefferson described to CW-1 the manifest purpose of the foundation - [REDACTED]

¹⁵ I have subsequently learned from documents obtained from the Ex-Im Bank that [REDACTED]

approximate \$2 million debt to NDTV had already been extinguished as Jefferson had hoped.

52. On July 21, 2005, Congressman Jefferson again met with CW-1 to further discuss the business venture in Nigeria. CW-1, looking for reassurance, had the following conversation with Jefferson:

CW-1: Do we have a deal, you know, with, with, you know, [REDACTED] first?

Jefferson: Uh, yes, we do have a deal with him.

CW-1: Excellent, Okay.¹⁶

53. At that same meeting, Congressman Jefferson and CW-1 discussed the possibility of a substantial cash payment to [REDACTED] [REDACTED] on the "front end" of a monetary amount in the range of \$500,000. CW-1 later told Jefferson: "I think it's good he has something on the front end, though, just as a motivating factor. So he doesn't forget what he's working for (laughs)." There was no audible response from Jefferson. Then CW-1 stated: "That's good."

54. On July 26, 2005, CW-1 and Congressman Jefferson met to further discuss the status of the Nigerian venture and the possible takeover of iGate by Jefferson with the financial backing of CW-1. During this meeting, Jefferson advised that he

¹⁶ As part of this discussion, Jefferson mentioned that the domain name of CW-1's Nigerian corporation would be Global Multimedia and Broadband Services, and that the corporate name would be Global Multimedia.

believed [REDACTED] was returning to Nigeria on Monday, August 1st. CW-1 then stated:

My thinking was . . . I don't know what your thoughts.
. with sending him back . . . with a phrase I will
never say again . . . I'll never write it again, I can
say it

To this, Jefferson replied "Right. To do that, he must have that" CW-1 later reported that, as Jefferson spoke, he pointed to a word he had written on a piece of paper on the table - "Cash." CW-1 then asked, "What if we do a smaller amount in that and then follow it with something that is wired?" Jefferson responded that money could be sent to Nigeria through an investment in the stock market. Shortly thereafter, CW-1 stated, "if it would help matters, I thought I could . . probably no more than 100, you know, K, I could produce you know that word [cash, according to CW-1] . . with a promise of what you're suggesting . . how about the two together?" Congressman Jefferson replied, "Good idea." Jefferson also indicated that CW-1 needed to get the money together by Saturday because he intended to deliver the two letters to [REDACTED] on Saturday, July 30th.

55. On July 30, 2005, Congressman Jefferson met CW-1 at the Ritz-Carlton Pentagon City in Arlington, Virginia at approximately 8:30 a.m. During the meeting, CW-1 and Congressman Jefferson again spoke about the status of the Nigerian and Ghana business ventures and Jefferson's formation of a new company, Multimedia Broadband Services, Inc., which he intended to succeed

iGate's role in the business ventures. At the close of the meeting, CW-1 and Congressman Jefferson exited the building and stood before the open trunk of CW-1's car. At that time, Congressman Jefferson reached in and removed a reddish-brown colored leather briefcase which contained \$100,000 cash in denominations of \$100 bills. He placed the briefcase in a reddish-brown colored cloth bag, then took the bag, containing the briefcase and the \$100,000 in cash and placed it inside the passenger compartment of his 1990 Lincoln Town Car and drove off. Congressman Jefferson's receipt of the briefcase containing \$100,000 in cash was video taped by the FBI from several vantage points.

56. On August 1, 2005, Congressman Jefferson met CW-1 at the Ritz-Carlton Pentagon City in Arlington, Virginia, at approximately 10:15 a.m. During the meeting, CW-1 broached the topic of the "package" she had given to Jefferson to give to [REDACTED]. Jefferson expressed a reluctance to talk about the subject. The conversation then continued:

CW-1: Um, I apologize, but, um, all I want to know is...you did deliver it and he did....

Jefferson: Ah, I gave him the African art that you gave me and he was very pleased.

CW-1 has not given Jefferson African art to be delivered to [REDACTED]. I believe that when referring to "African art" and "art," Jefferson was referring in a cryptic fashion to the

\$100,000 cash he received from CW-1 on July 30, 2005, with the understanding that he would deliver it to [REDACTED].

57. On August 3, 2005, a search warrant was executed at the Washington, D.C. residence of Congressman Jefferson. Among the items discovered during the search were \$90,000 of the cash previously provided to Congressman Jefferson by CW-1 on July 30, 2005. The \$90,000 cash was discovered concealed in Congressman Jefferson's freezer and further concealed in \$10,000 increments inside various frozen food containers and wrapped in aluminum foil.¹⁷

58. Beginning on August 23, 2005, I interviewed [REDACTED] (herein after referred to as "Jane Doe #1"), a Legislative Assistant in Congressman Jefferson's Washington, D.C. congressional office. Jane Doe #1 stated that on August 1, 2005, Congressman Jefferson asked her to come to his interior office. When she arrived, Congressman Jefferson handed her an envelope containing forty-eight (48) \$100 bills or a total of \$4,800 as a loan to address her previously expressed financial

¹⁷ The \$100,000 cash previously delivered by CW-1 on July 30, 2005 to Congressman Jefferson was photocopied prior to delivery. A comparison of the serial numbers of \$100 dollar bills found in Congressman Jefferson's freezer was made to the serial numbers on the \$100 bills delivered on July 30, 2005 and they all matched.

difficulties.¹⁸ On September 13, 2005, an attorney representing Congressman Jefferson delivered forty-nine (49) \$100 bills or a total of \$4,900 to the government. The serial numbers on these bills matched serial numbers from the original \$100,000 transfer on July 30, 2005. The two payments substantially account for the missing \$10,000 that was not found in Congressman Jefferson's freezer.

K. CONGRESSMAN JEFFERSON PROMOTES BUSINESS VENTURE IN GHANA

59. On May 31, 2005, CW-1 met with Congressman Jefferson in Washington, D.C. The conversation was consensually recorded. Although the meeting focused on the operations of the Nigerian business venture and related issues, a part of the discussion turned to the topic of Ghana and possible opportunities for the same business ventures there. CW-1 asked Congressman Jefferson if they could take the same business model they had set up for Nigeria and apply the same approach to other places in Africa. Congressman Jefferson agreed, saying that the next place they planned to go was Ghana and suggested that they could travel to

¹⁸ Jane Doe #1 stated that she spent the money at various merchants to buy things for her children and to repay other personal debts. Jane Doe #1 also stated that she assisted Congressman Jefferson prepare a letter from Congressman Jefferson to the Managing Director of Nitel. Records obtained as a result of this investigation revealed a draft letter from Congressman Jefferson to [REDACTED], in his capacity as the Managing Director of Nitel, and a letter from Congressman Jefferson to [REDACTED], in his capacity as the Managing Director of Nitel.

Ghana in July 2005.

60. During the meeting of June 8, 2005, previously discussed, CW-1 signed a joint venture agreement committing CW-1's Nigerian company to a business venture with Rosecom, the Nigerian telecommunications firm. By signing the joint venture agreement, CW-1 was also committing to a multi-million dollar obligation to further the business venture. When CW-1 signed the agreement, CW-1 told Jefferson, "I will sign this agreement if you give me your word that you will do your best to go to Ghana." Jefferson assented and, at that moment, called [REDACTED] [REDACTED], on his cellular telephone and discussed arrangements for a July 5, 2005 trip to Ghana to further a similar business venture there involving internet and communications systems.

1. CONGRESSMAN JEFFERSON'S PLANNED BENEFIT FROM THE GHANAIAN BUSINESS VENTURE

61. On several occasions, Congressman Jefferson has discussed with CW-1 the likelihood that the Ghana business venture would be set up in the same model as the Nigerian business venture, indicating that Jefferson will be receiving an equity interest (likely through his control of Global Energy & Environmental Services, LLC,) in a Ghanaian company set up for purposes of conducting the business venture in that country. During the July 21, 2005 meeting, CW-1 asked Congressman Jefferson: "As far as Ghana goes, are you happy with the 30% in

Ghana?" Jefferson responded in the affirmative. When CW-1 referred Jefferson to a piece of paper noting the breakdown of percentages of equity shares in the Ghanaian company, Jefferson pointed to CW-1's reference of "WJ 30%," scratched out "WJ" and wrote in "Global."

2. CONGRESSMAN JEFFERSON'S OFFICIAL ACTS IN FURTHERANCE OF THE GHANAIAN BUSINESS VENTURE

62. The [REDACTED] and consensually recorded conversations between Congressman Jefferson and CW-1 reflect the official acts Congressman Jefferson has sought to secure a telecommunications business venture in Ghana. These official actions include: writing an official letter to the Vice President of Ghana, [REDACTED], to obtain approval of the business venture in that country; traveling to Ghana, paid for by CW-1, to meet with high-ranking government officials such as the Vice President, the Minister of Communications, and others to further obtain approval to conduct the business venture there; using his congressional staff to plan the trip to Ghana and to obtain travel documents for the individuals making the trip with him; and communicating with the U.S. Embassy and the U.S. Ambassador to Ghana about the trip and scheduling of his meetings with Ghanaian government officials.

63. At approximately 11:00 a.m. on Wednesday, June 22, 2005, Congressman Jefferson called CW-1 at CW-1's home in McLean, Virginia. During the call, Jefferson spoke, among other things,

about the upcoming trip to Ghana. Jefferson told CW-1 that he had written a letter to the Ambassador of Ghana requesting the meetings that he wanted to set up while there. Jefferson also told CW-1 that he had consulted with [REDACTED] for iGate, and asked him to prepare a list of things they would need from the government in Ghana for CW-1 and iGate to successfully operate a telecommunications venture there. Jefferson then told CW-1 "once the government agrees, it's a private deal between local companies and you [CW-1]. . . basically."

64. At approximately 8:30 a.m. on Friday, June 24, 2005, Jefferson and CW-1 met at a restaurant in Washington, D.C. During the meeting, Jefferson discussed with CW-1 the expected itinerary for the upcoming trip to Ghana and the fact that Jefferson might depart early once all of the "official stuff" was completed. Jefferson shared with CW-1 that he had written a letter to the Ambassador of Ghana and that he would call the Ambassador later that day. Jefferson indicated to CW-1 that he told the Ambassador that he wanted to meet with the President of Ghana, the Minister of Communications, the Director of Ghana Telecom, and "any other official in the chain. . . "

65. On June 30, 2005, CW-1 met with Congressman Jefferson in Washington, D.C. During the meeting, Jefferson disclosed that [REDACTED], had arranged for a

meeting with the Vice President of Ghana and other government officials. Jefferson told CW-1 that he was going to send a letter to the Vice President in advance of the meeting to explain what they [iGate and CW-1] were trying to accomplish during the trip. Jefferson said that each of the government planners were being written a letter as well. "████ is writing to lower level people . . . I only wrote to the Vice President." Jefferson further stated that he would also make contact with U.S. Embassy personnel in Ghana to check the scheduling with them. Jefferson also explained that ██████████ would introduce them to a Ghanaian barrister who would help them form a Ghanaian company with the plan to have the same general structure as CW-1's Nigerian Company in the Nigerian joint venture.

66. On June 30, 2005, Jackson received an incoming call from ██████████. █████ stated that he believed Jefferson's office is in contact with the Ghana government and the Ghana telecom company. █████ informed Jackson that Congressman Jefferson's secretary had e-mailed █████ a letter addressed to the Chairman of Ghana telecom for █████ signature.

67. On July 1, 2005, CW-1 received a letter by facsimile from Congressman Jefferson. CW-1 has given a copy of the letter to law enforcement and I have reviewed the document. The letter, written on "House of Representatives" letterhead, is dated June 29, 2005 and is addressed to " . . . Vice President; The Republic

of Ghana; Accra, Ghana." The letter also appears to have the signature of William Jefferson above the typewritten words, "William J. Jefferson; Member of Congress." The letter described the then upcoming trip to Ghana and the business venture being sought there. It provides:

I am leading a delegation of six Americans to Ghana to pursue the establishment of a project to provide real broadband, or high speed internet services over the existing copper wire infra-structure of Ghana Telecom. We will be in Ghana from July 5th - July 11th. The project will involve the investment of approximately USD \$25,000,000 over the next five (5) years and the payment of substantial fees per subscriber for the use of the copper wire infrastructure of Ghana Telecom. (Emphasis added).

The establishment of the project in Ghana depends principally upon the decisions of the appropriate Ghanaian authorities, including the Executive Offices of the Presidency, the Minister of Communications, Ghana Telecommunications Company, and the Ghana National Communications Authority. (Emphasis added).

68. Congressman Jefferson did not disclose in the letter that he was already a holder of shares of iGate and that he would be receiving an equity interest in a Ghanaian company to be set up for the purpose of establishing the business venture in Ghana.

69. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

70. Between July 5, 2005 and July 10, 2005, CW-1 received a series of verbal and written reports from Brett Pfeffer pertaining to the progress of the Ghana trip. According to Pfeffer, Congressman Jefferson met with, among others, American Embassy officials, the Vice President of Ghana, the Minister and Deputy Minister of Communications for Ghana, the Chairman of the National Communications Authority, a Ghanaian agency responsible for regulating the telecommunications industry, the Ghanaian Minister of Energy, and the Chief Executive Officer of Ghana Telecom, which is a quasi-governmental agency, owned 70% by the Ghanaian Government and 30% by a private business entity.

71. On July 12, 2005, after returning from Ghana, Congressman Jefferson met with CW-1 and reviewed the steps he had taken to further the business venture in Ghana. Jefferson told CW-1 that the name of CW-1's company, which had been formed in Ghana, was "International Broad Band Services" ("IBBS").

L. CONGRESSMAN JEFFERSON INSTRUCTS JACKSON TO PAY NOMINEE COMPANY - THE ANJ GROUP, LLC

72. On August 3, 2005, law enforcement agents interviewed Vernon Jackson, the founder and CEO of iGate, Incorporated. During the interview, Jackson stated that he met Congressman Jefferson in approximately late 2000. Congressman Jefferson became involved in helping Jackson to promote iGate's product and

secure contracts for its technology. In early 2001, Jefferson indicated to Jackson that it would not be legal for him to continue to assist iGate because of his official position as a civil servant. Alternatively, Jefferson referred Jackson to The ANJ Group, LLC, a Louisiana company operated by Congressman Jefferson's wife.¹⁹ Jackson told investigators that despite this "referral" to The ANJ Group, LLC, Jackson continued to deal with Congressman Jefferson concerning iGate business matters.

73. I have reviewed the Operating Agreement for The ANJ Group, LLC, dated January 21, 2001, which lists Congressman Jefferson's wife, [REDACTED], and one daughter as the managers of the company. Jefferson's wife and all five daughters are designated as Members of the company.

74. I have reviewed a Professional Services Agreement dated January 22, 2001 between The ANJ Group, LLC and iGate. The agreement called for \$7,500 monthly payments by iGate to ANJ, plus bonuses equal to "5% of gross, for consultant sales over \$5,000,000 per annum." I have also reviewed an Amendment to Professional Services Agreement dated July 24, 2003. The Amendment provided that ANJ would receive thirty-five (35%) of any profits derived from the sale of iGate's technology or

¹⁹ Law enforcement agents have separately learned that "The ANJ Group, LLC" is an active Louisiana Limited Liability Company that was registered on January 19, 2001 and whose registered agent is Jack D. Swetland with an address of 650 Poydras Street, Suite 2245, New Orleans, Louisiana 70130.

products connected with the continent of Africa.²⁰

75. In the statement of facts filed in connection with Vernon Jackson's plea hearing on May 3, 2006, Jackson acknowledged that The Professional Services Agreement was designed to conceal the illegal nature of the payments demanded by Congressman Jefferson [REDACTED] and to make them appear to be for legitimate consulting services while, in fact, those payments were designed to be in return for Congressman Jefferson performing official acts in promoting iGate products and business.

76. I have reviewed bank and accounting records related to the business of iGate. Those records reflect that between February 2001 and September 2004, iGate paid ANJ and Jefferson a combined total of more than \$400,000.²¹

M. CONGRESSMAN JEFFERSON REQUESTS CW-1 TO FINANCE HIS TAKEOVER OF IGATE

77. [REDACTED]
[REDACTED]

²⁰ Copies of the ANJ Group's Operating Agreement, dated January 21, 2001; the Professional Services Agreement, dated January 22, 2001; and the Amendment to Professional Services Agreement, dated July 24, 2003 were obtained during a search of Congressman Jefferson's New Orleans, Louisiana residence on August 3, 2005.

²¹ The investigation of the finances of iGate and ANJ continues. Newly acquired financial records are currently being reviewed which could increase the determination of the total amount paid by iGate to ANJ.

[REDACTED]

[REDACTED]

[REDACTED] As a result of the financial pressure on iGate, Jackson was becoming increasingly hostile towards CW-1, who had not relented to any of Jackson's ultimatums for expedited financing.

78. Jackson's hostility towards CW-1 began to cause friction between Jackson and Congressman Jefferson, who appeared to believe Jackson's instability was a threat to the future success of iGate business ventures. During the June 8, 2005 meeting discussed above, Jefferson told CW-1: "I'm not gonna let him [Jackson] let me use my good offices, whatever they are, and then to make arrangements and then blow it out. I'm not gonna do that" (Emphasis added).

79. At a consensually recorded meeting in Washington, D.C. between CW-1 and Jefferson on Friday, June 17, 2005, Jefferson proposed a plan to rescue iGate from its financial straits by purchasing a controlling interest in iGate by way of another company - ANJ, a Louisiana company controlled by Jefferson and kept ostensibly in the name of his wife and children. Jefferson stated that ANJ was already a part owner of iGate. To further his plan, Jefferson proposed that CW-1 finance his takeover of iGate with a multi-million dollar investment to be used to satisfy iGate's \$5 million to \$7 million debt and to further fund

the investments in Nigeria and Ghana.²² Jefferson explained to CW-1 that such a takeover would allow Jefferson the opportunity to install several confidants on iGate's board of directors and allow Jefferson to control iGate, relegating Jackson to the status of an employee of iGate.

80. On June 24, 2005, CW-1 met with Jefferson and they later spoke over the telephone about Jefferson's proposal for CW-1 to finance his takeover of iGate, among other things. During the telephone conversation, CW-1 expressed a willingness financially to support Jefferson's effort to take control of iGate, provided he gave his best efforts at furthering key components of the Nigerian and Ghanaian business ventures. Jefferson stated "I will give it a thousand percent, as you might imagine. I'm gonna try my best to deliver for you and not disappoint you." (Emphasis added).²³

²² Jefferson sought approximately \$10 million in financial backing from CW-1 for the takeover of iGate because he believed that amount could satisfy creditors of over \$5 million to \$7 million of iGate's debt for a steep discount in the area of 50% and further fund the investments in Nigeria and Ghana.

²³ At the request of Congressman Jefferson, CW-1 has wired cash payments from CW-1's Virginia bank to a bank account in the name of The ANJ Group, LLC at Dryades Savings Bank in New Orleans, LA on or about June 22, 2005 (\$59,225.18) and July 1, 2005 (\$30,000). These payments were made for the purpose of assisting Congressman Jefferson with his takeover of iGate and are among the things of value Jefferson has received in exchange for his official acts supporting the business ventures in Nigeria and Ghana. All cash payments made by CW-1, at Congressman Jefferson's request after March 2005, have been made by CW-1 also at the direction of law enforcement and with the understanding

81. During CW-1's July 12, 2005 meeting with Congressman Jefferson, Jefferson discussed the possible composition of iGate's Board of Directors after it had been restructured. Congressman Jefferson indicated the members of this board should include CW-1; [REDACTED]

[REDACTED] a New Orleans businessman and close associate of Congressman Jefferson, whom Jefferson intended to name as the Chief Executive Officer of iGate.²⁴ Congressman Jefferson described to CW-1 what his role would be with regard to the board: "I'm in the shadows, behind the curtain."²⁵

that CW-1 will be reimbursed by law enforcement for such payments.

²⁴ On July 21, 2005, CW-1 met with Congressman Jefferson. At that meeting, Jefferson discussed, among other things, the fact that he was in the process of forming a new company called "Multimedia Broadband Services," with The ANJ Group and CW, among others, to be shareholders. According to Jefferson, the company was being formed to replace iGate's role in these African business transactions and thereby avoid the negative consequences of iGate's debt structure while controlling iGate's patented technology, which would be transferred to the new company.

²⁵ [REDACTED]

N. EVIDENCE THAT CONGRESSMAN JEFFERSON PARTICIPATED IN OTHER CORRUPT ENDEAVORS WHERE HE PERFORMED OFFICIAL ACTS IN RETURN FOR THINGS OF VALUE

82. As is demonstrated below, law enforcement agents have gathered evidence linking Congressman Jefferson to at least seven other schemes in which Congressman Jefferson sought things of value in return for his performance of official acts.

1. NetLink Digital Television ("NDTV")

83. In connection with this investigation, I have interviewed [REDACTED], a person with firsthand knowledge of a transaction between NDTV, a Nigerian company, and iGate whom I will refer to as Cooperating Witness - 2 ("CW-2"). According to CW-2, Congressman Jefferson introduced officials from NDTV to Vernon Jackson and iGate in approximately July 2003.²⁶ Through various negotiations, NDTV ultimately entered into an agreement with iGate whereby NDTV agreed to pay iGate \$44,943,400 for the rights to iGate's technology and to distribute iGate's products in Nigeria.²⁷ According to CW-2, Congressman Jefferson separately negotiated with NDTV officials to receive \$5 per subscriber in return for Jefferson's official assistance if the

²⁶ [REDACTED]

²⁷ NDTV and iGate also entered into a separate written agreement related to a project being offered by the Nigerian National Information Communication and Education Programme ("NICEP").

deal was successful. The money was to be paid to an entity associated with Congressman Jefferson and not to be disclosed to Jackson or iGate. By January 2004, NDTV had paid approximately 15% or \$6.5 million to iGate as an advance on the NDTV's agreement to pay for the rights to iGate's technology. I have reviewed the bank records for iGate, which reflect that the \$6.5 million payment from NDTV was received into iGate's account.

84. During the August 3, 2005 search of Congressman Jefferson's Washington, D.C. residence, a document entitled "Business Agreement" related to the iGate and NDTV business relationship was found. Attached to the back of the document was a page entitled "Diverse Communications Revenue and Share Interests in NDTV Operations and Companies." The page listed several categories of business in which Diverse Communications would receive a percentage of operating profit, shareholder interest, gross revenue, etc. The page also listed that Diverse Communications would receive \$5 per set top procured from iGate for use by NDTV. At the bottom of the page, a hand written note, apparently in Jefferson's handwriting and with his signature, stated the following: "I am reminded that with respect to each and all of these, either you or [CW-2] made the suggestion. Thank you for not having to ask. I appreciate your consideration and friendship."

85. According to CW-2, business relations broke off between NDTV and iGate in or about early 2004, and NDTV hired legal representation in the United States to seek a return of the \$6.5 million it had paid to iGate. I have reviewed a letter dated May 6, 2004 from NDTV's U.S. lawyer and addressed to Congressman Jefferson. The letter was seized during the August 3, 2005 search of Congressman Jefferson's Washington, D.C. residence.²⁸ Attached to the letter is an opinion from a Nigerian law firm that concludes that Congressman Jefferson and Vernon Jackson, among others violated Nigerian criminal and civil laws. The letter further stated to Congressman Jefferson that: "I have also attached a list of your bank accounts through which you insisted that money be paid (which it was) to you in relation to the iGate/NDTV transaction." Attached to the letter was a list of bank accounts in the name of a son-in-law to Congressman Jefferson, The ANJ Group, LLC, and Jefferson Interests, Inc., a company controlled by Jefferson.²⁹ I have reviewed records on file in Louisiana that reflect that Jefferson Interests, Inc. is

28 [REDACTED]

²⁹ Due to the effects of Hurricane Katrina, many financial institutions in the New Orleans area have been slow to produce records sought by the government in this matter. I am still in the process of gathering records related to the accounts referenced above and have not yet been able to determine whether or when payments were made to these accounts from NDTV or persons affiliated with it.

a company that was incorporated in the state of Louisiana, whose officers include Congressman Jefferson and two of his brothers.

2. [REDACTED]
[REDACTED]

86. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

87. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

88. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

89. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

90. [REDACTED]

[REDACTED]

[REDACTED]

3. [REDACTED]

91. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

92. [REDACTED]

[REDACTED]

30 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

93. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

94. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

95. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

96. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

97. [REDACTED]

[REDACTED]

_____ 4. [REDACTED]
[REDACTED]

98. [REDACTED]

[REDACTED]

[REDACTED]

99. [REDACTED]

[REDACTED]

100. [REDACTED]

[REDACTED]

101. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

102. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

31 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

103. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

104. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

105. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

106. [REDACTED]

[REDACTED]

5. [REDACTED]

107. [REDACTED]

[REDACTED]

108. [REDACTED]

[REDACTED]

[REDACTED]

109. [REDACTED]

[REDACTED]

110. [REDACTED]

[REDACTED]

32 [REDACTED]

[REDACTED]

[REDACTED]

111. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

112. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

113. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

114. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. [REDACTED]

115. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

116. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED],

[REDACTED].

117. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

33 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

118. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

119. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. [REDACTED]

120. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

121. [REDACTED]

[REDACTED]

122. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

VI. PROBABLE CAUSE THAT EVIDENCE OF THE OFFENSES DESCRIBED
HEREIN WILL BE FOUND AT CONGRESSMAN JEFFERSON'S WASHINGTON,
D.C. CONGRESSIONAL OFFICE

123. Based upon my training and experience, knowledge of the facts of this investigation and knowledge of records that are traditionally maintained in congressional offices, I believe that records, fruits and instrumentalities of the offenses cited herein will be found in Congressman Jefferson's Capitol Hill office.

124. The location to be searched, Rayburn House Office Building, Room Number 2113, Washington, D.C., is clearly marked as the office of Congressman William J. Jefferson. Based on my training and experience, I am aware that the office of a United States Congressman regularly maintains, for a number of years, records of activities, which include, but are not limited to, correspondence to/from the congressman, communications, faxes, notes and other forms of communications; logs and/or ledgers related to visitors received by the congressman; travel records

and vouchers, as well as communications related to travel by a congressman, and copies of travel disclosure forms required to be filed with the Clerk of the U.S. House of Representatives; and telephone records and/or messages related to telephone calls received in the office.

125. Based upon my knowledge of the facts of this investigation, I respectfully submit that there is probable cause to believe that evidence related to the criminal offenses discussed herein is likely to be found in Congressman Jefferson's Capitol Hill office. For example, CW-1 has described a number of meetings related to the iGate business ventures that took place in Congressman Jefferson's office - some of the meetings contained power point presentations. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Moreover, CW-1 and other members of the group who planned to travel to Ghana have had a number of conversations with Congressman Jefferson's staff about the July 5, 2005 trip to Ghana and assistance in obtaining passports, visas, itineraries and other documents related to the trip. Additionally, Congressman Jefferson has told CW-1 that a member of his staff maintains a file folder labeled "Ghana" which is maintained in the office which your affiant believes would contain copies of travel documents and correspondence to government and Ghana Telecom officials soliciting support for the iGate business venture there.

126. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

127. [REDACTED]

[REDACTED]

A horizontal bar chart consisting of 15 black bars of varying lengths. The bars are arranged in a single column, with the longest bar in the middle and the shortest bars at the top and bottom. The lengths of the bars vary significantly, with some being nearly full-width and others being much shorter.

35

35



Government	Percentage
Current government	35%
Previous government	65%

[REDACTED]

128. The requested search of the Washington, D.C. Congressional Office of William J. Jefferson is to include all rooms, closets and items found therein that may contain evidence, including items such as computer hardware and software and other digital or electronic media as well as closed or locked containers.

VII. GOVERNMENT EFFORTS TO EXHAUST ALL LESSER INTRUSIVE APPROACHES TO OBTAINING RELEVANT DOCUMENTS AND RECORDS LOCATED IN THE WASHINGTON, D.C. CONGRESSIONAL OFFICE OF WILLIAM J. JEFFERSON

129. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

130. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

131. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

36 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

132. As a result of the information discussed in the paragraphs immediately above, the government has exhausted all other reasonable methods to obtain these records in a timely manner short of requesting this search warrant. A member of Congressman Jefferson's staff has indicated to law enforcement agents that records relevant to the investigation remain in Congressman Jefferson's Capitol Hill office, which the government has been unable to obtain to date. Left with no other method, the government is proceeding in this fashion.

VIII. COMPUTER RECORDS

133. I know from information obtained during this investigation that the Washington, D.C. Congressional office of William J. Jefferson ("Office") uses computers to produce, deliver and maintain records and documents. Pursuant to statements made by counsel for the U.S. House of Representatives, it is my understanding that these computers are "stand alone" in the sense that the hard drive(s) for these computers are located inside the offices of Congressman Jefferson. I also know that computer hardware, software, documentation, passwords and data security devices may be important to a criminal investigation in

two distinct respects: (1) the objects themselves may be instrumentalities or evidence of a crime, and/or (2) the objects may have been used to collect and store information (in the form of electronic data) which constitutes evidence of that offense.

134. Imaging, obtaining a logical copy and searching computer systems are highly technical processes that require specific expertise and specialized equipment.³⁷ It usually is impossible to bring to the search site all of the necessary technical manuals and specialized equipment necessary to conduct a thorough search of all of the many types of computer hardware and software in use today. Because computer data is particularly vulnerable to inadvertent or intentional modification or destruction, a controlled environment, such as a law enforcement lab, is essential to conducting a complete analysis of the equipment and storage devices from which the data will be extracted. Moreover, the volume of data stored on many computer systems and storage devices often is too large to permit a thorough search for data during the physical search of the premises.

³⁷ The term "image" is used in this context to mean a duplicate of all original data contained on a computer or electronic media storage device. The term "logical copy" is used in this context to mean an accurate reproduction of information contained on the computer. As I understand, an imaged copy allows for the search of "deleted" items that, in fact, remain on the computer. A logical copy does not allow for the search of deleted items.

135. Accordingly, I am seeking authorization to image or obtain a logical copy and then search computer hardware and software located at the Washington, D.C. Congressional Office of William Jefferson, Rayburn House Office Building, Room Number 2113, Washington, D.C. 20515. Specialists with the FBI's Computer Analysis Response Team ("CART") will attempt to image or obtain a logical copy of the computer hardware, software and storage devices on site. If such specialists are unable to image or obtain a logical copy of the computer hardware, software and storage devices on site, then consistent with the Special Search Procedures outlined below, no further action will be taken with regard to the computers found in Congressman Jefferson's office.

VII. SPECIAL SEARCH PROCEDURES

136. I have been informed by the Prosecutors overseeing the investigation in this matter that they have decided to adopt special procedures in order to minimize the likelihood that any potentially politically sensitive, non-responsive items in the Office will be seized and provided to the Prosecution Team. I have also been informed by the Prosecutors overseeing the investigation in this matter that they have decided to adopt special procedures in order to identify information that may fall within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1 or any other pertinent privilege. These special procedures have been adopted for both paper records

and computer records in the Office.

A. Paper Records

137. To ensure the Prosecution Team does not inadvertently review any potentially politically sensitive, non-responsive items in the Office, or information that may fall within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1 or any other pertinent privilege, the physical search of the Office will be conducted by Special Agents from the Federal Bureau of Investigation who have had no substantive role in the investigation (the "non-case agents").

138. The non-case agents will review the paper records in the Office to determine if they are responsive to the list of items on Schedule B. The non-case agents will remove from the office those paper records determined to be responsive to the list of items on Schedule B. Other than as required to determine responsiveness, the non-case agents will not disclose to anyone any politically sensitive and non-responsive items inadvertently seen by the non-case agents during the course of the search of the Office and will attest in writing to their compliance with this procedure.

139. Before giving any paper records seized from the Office to the prosecution team, the non-case agents will deliver the seized paper records to a designated Filter Team. The Filter Team will be composed of one attorney from the Office of the U.S.

Attorney for the Eastern District of Virginia, one attorney from the U.S. Department of Justice, Criminal Division, Fraud Section, and an assigned Special Agent with the Federal Bureau of Investigation who will not be a case agent. Prior to their appointment, the Filter Team will have had no role or connection to the investigation in this matter and their subsequent roles in the investigation will be confined to their duties and responsibilities in connection with these special procedures.

140. The Filter Team will review the paper records seized from the Office to validate that they are responsive to the list of items on Schedule B. Any paper records seized from the Office that are determined by the Filter Team to be unresponsive to the list of items on Schedule B will be promptly returned to the Office, but in no event less than ten (10) business days from the date of the search, unless a shorter or longer time period is set by the Court.

141. Paper records validated by the Filter Team as responsive to the list of items on Schedule B will undergo a second level of review by the Filter Team. The Filter Team will review the responsive paper records to determine if they may fall within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1, or any other pertinent privilege. For those paper records determined by the Filter Team not to fall within the purview of the Speech or Debate Clause privilege, U.S.

Const., art. I, § 6, cl. 1, or any other pertinent privilege (collectively, the "non-privileged paper records"), the Filter Team will provide the originals of those non-privileged paper records to the Prosecution Team. The Prosecution Team will provide copies of the non-privileged paper records to counsel for Congressman Jefferson within ten (10) business days of the search, unless a shorter or longer time period is set by the Court.

142. For those paper records determined by the Filter Team as potentially within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1, or any other pertinent privilege (the "potentially privileged paper records"), the Filter Team shall provide a log of those potentially privileged paper records to counsel for Congressman Jefferson.³⁸ The log shall identify the record by date, recipient, sender and subject matter. The Filter Team shall provide the log and a copy of the potentially privileged paper records to counsel for Congressman Jefferson within twenty (20) business days of the search, unless a shorter or longer time period is set by the Court. The Filter Team shall not provide the log or copies of the potentially privileged paper records to the Prosecution Team, unless otherwise ordered by the Court.

³⁸ Paper records determined to be privileged by the Filter Team will be returned to counsel for Congressman Jefferson without any further dissemination to the Prosecution Team.

143. The Filter Team shall then request the District Court to review the potentially privileged paper records in order for the Court to make a final determination whether they contain privileged information, unless counsel for Congressman Jefferson consents to the production to the Prosecution Team of certain of the potentially privileged paper records.

B. Computer Files

144. The non-case agents will include Certified Forensic Examiners (FE) from the Federal Bureau of Investigation's Computer Analysis and Response Team ("CART"). The CART FE will be based out of the FBI's CART Headquarters.

145. The CART FE will attempt to image the hard drives of the computers in the Office, and also electronic storage media as defined in Schedule B, Paragraph D. If the CART FE are unable to image a particular hard drive of a computer or electronic storage media located in the Office, the CART FE will attempt to obtain a logical copy. Neither the computers nor the original electronic storage media will be removed from the Office.³⁹

146. The CART FE will deliver custody of any obtained images or logical copies ("data") taken from the office to the FBI's

³⁹ Depending upon the quantity and/or volume of computer hard drive(s) and electronic storage media discovered in the Office, FBI computer forensics personnel have indicated to me that the process of imaging and/or creating logical copies could take as long as eight to ten hours to complete, which could result in the search being completed later than 10:00 pm.

secure CART laboratory. A list of the individuals who accessed this data will be maintained by sign-in log.

147. Once the data is taken to FBI CART Headquarters, the CART FE shall replicate the data for implementation of searches of the data using the court-approved search terms contained in Schedule C. The original data shall then be filed with the Court under seal.

148. The replicated data shall be processed by the CART FE using FBI tested, validated and approved computer forensic procedure. The CART FE shall run searches on the data according to specified search terms. The search terms are listed in Schedule C. I have been informed that the approved software tool used by the CART FE may automatically log any searches conducted during the examination. If the tool does not generate a log, a manual log cataloging searches made by the CART FE will be maintained. The computer generated log(s) and/or the manual log(s) shall be provided to the Court (and/or any party designated by the Court) at the Court's request.

149. During the examination process the contents of some random files may be inadvertently viewed by the CART FE. Unless necessary to facilitate Filter Team review, at no time shall the contents of files be intentionally reviewed until such time as the files responsive to the search terms are made available to the Filter Team. Upon completion of the forensic examination,

the CART FE will provide secure, controlled access to the Filter Team to conduct its review of the search results.

150. The Filter Team shall review the computer files to validate that they are responsive to the list of items on Schedule B. Any computer records seized from the Office that are determined by the Filter Team to be unresponsive to the list of items on Schedule B will not be included for any further review or examination by the government absent court process or consent of the Office.

151. Computer records validated by the Filter Team as responsive to the list of items on Schedule B will undergo a second level of review by the Filter Team. The Filter Team will review the responsive computer records to determine if they may fall within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1, or any other pertinent privilege. For those computer records determined by the Filter Team not to fall within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1, or any other pertinent privilege (collectively, the "non-privileged computer records"), the Filter Team will provide those non-privileged computer records to the Prosecution Team. The Prosecution Team will provide copies of the responsive and non-privileged computer records to the Office within sixty (60) days from the commencement of the review for privilege material as described in

this paragraph, unless a shorter or longer time period is set by the Court.

152. For those computer records determined by the Filter Team as potentially within the purview of the Speech or Debate Clause privilege, U.S. Const., art. I, § 6, cl. 1, or any other pertinent privilege (the "potentially privileged computer records"), the Filter Team shall provide a log of those potentially privileged computer records to counsel for Congressman Jefferson.⁴⁰ The log shall identify the record by date, recipient, sender and subject matter if such information is available. The Filter Team shall provide the log and a copy of the potentially privileged computer records to counsel for Congressman Jefferson within sixty (60) days from the start of the review for privilege material as described below, unless a shorter or longer time period is set by the Court.

153. Once the responsive and non-privileged records are identified by the Filter Team and exported to appropriate storage media, the CART FE replicated data described above will be deleted using a non-recoverable process, upon court approval.

154. The Filter Team shall then request the District Court to review the potentially privileged computer records in order

⁴⁰ Computer records determined to be privileged by the Filter Team will not be provided to the Prosecution Team. The Filter Team will maintain such records pending further order of the Court.

for the Court to make a final determination whether they contain privileged information, unless counsel for Congressman Jefferson consents to the production to the Prosecution Team of certain of the potentially privileged computer records.

155. To keep the Court updated on the status of the processing of the paper records and computer records, the Prosecution Team will provide a written progress report to the Court within thirty (30) days of the search. The written progress report will include affirmations by the Filter Team and the CART FE attesting to their compliance with these special procedures.

VIII. CONCLUSION

156. Based upon the foregoing, I respectfully submit that there is probable cause to believe that the above-described Washington, D.C. Congressional Office of Congressman William J. Jefferson contains property constituting evidence of the commission of: a) bribery of a public official, in violation of Title 18, United States Code, Section 201; b) wire fraud (scheme or artifice to deprive persons of honest services) in violation of Title 18, United States Code, Sections 1343, 1346 and 1349; c) wire fraud (scheme or artifice to obtain money) in violation of Title 18, United States Code, Sections 1343 and 1349; d) bribery of a foreign official in violation of the Foreign Corrupt Practices Act, Title 15, United States Code, Section 78dd-1 et

seq., and e) conspiracy to commit bribery, wire fraud, bribery of a foreign official and to defraud the United States with regard to the above-referenced crimes, in violation of Title 18, United States Code, Section 371, and the fruits of crime and property designed or intended for use and which is and has been used as the means of committing the above-described offenses, and those items listed in Schedule B, which is incorporated herein by reference.

157. In light of the foregoing, I have been instructed not to participate in the search of the premises described. Therefore, after the warrant is executed, a member of the search team has been advised to return to the authorizing judicial authority so designated with an inventory of the records and items taken, as directed in this warrant.

Timothy R. Thibault
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me
this _____ day of May 2006.

UNITED STATES DISTRICT COURT JUDGE_

SCHEDULE A

(Description of Property to be Searched)

The office of Congressman William J. Jefferson, Rayburn House Office Building, Room Number 2113, Washington, D.C. 20515 is more particularly described as being situated on the ground floor of a white four-story building constructed of marble and granite located at the 200 Block of South Capitol Street NE. The Rayburn House Office Building is located in an area commonly referred to as "Capitol Hill" and occupies one city block. The building itself is bordered on the north by Independence Avenue, the east by South Capitol Street, the south by C Street, and the west by First Street. There are several entrances to the Rayburn House Office Building. The closest public entrance to Room 2113 is an entrance located on the east side of the building facing South Capitol Street, NE. Affixed to the left of this entry way is gold lettering that identifies the building as the "Rayburn House Office Building." An office directory located on a wall inside this entryway identifies Congressman Jefferson as the occupant of Room 2113. Room 2113 is located in the northeast quadrant of the building. Congressman Jefferson's office is secured by inset double-hung wooden doors with natural wood coloring. On the wall to the right of the wooden doors is a black placard that reads "Room 2113/William J. Jefferson/Louisiana." Affixed to the left door are wooden numbers that read "2113." Below the wooden numbers is a gold-plated mail slot. Affixed to the right of the door is a placard that reads "Please Come In." In front and to the right of the doorway to room 2113 stands the State of Louisiana flag. In front and to the left of the doorway to 2113 stands the American flag. The office occupied by Congressman Jefferson and his staff is segregated from other Congressional offices in this building by permanent partitions.

SCHEDULE B
ITEMS TO BE SEIZED FROM

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

B. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

C. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

D. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

SCHEDULE C

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

A. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A horizontal bar chart titled "U.S. should take action to address climate change" showing the percentage of respondents who believe the U.S. should take action to address climate change. The chart is broken down by age group (18-29, 30-49, 50-69, 70+) and gender (Male, Female). The y-axis lists the demographic groups, and the x-axis shows the percentage from 0 to 100. The bars are black, and the chart includes a legend for gender.

Age Group	Gender	Percentage
18-29	Male	~35%
	Female	~65%
30-49	Male	~50%
	Female	~55%
50-69	Male	~30%
	Female	~35%
70+	Male	~25%
	Female	~100%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
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Total	Male	~55%
	Female	~50%
Total	Male	~50%
	Female	~55%
Total	Male	~25%
	Female	~30%
Total	Male	~55%
	Female	~50%
Total	Male	~50%
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